

Judges Allow Disclosure of Final Iran-Contra Report

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A special federal court panel said yesterday that independent counsel Lawrence E. Walsh's final report on the Iran-contra scandal will be made public with "minor" deletions, if any.

The panel of three appellate judges, who administer the independent counsel law, made the announcement in a five-page ruling prompted by a motion for "full disclosure" made last week by several journalistic and research organizations.

"[T]he Iran-contra investigation has been the occasion of massive media coverage and debate," the judges said, adding that they considered it not only "appropriate" but also "in the public interest that as full a disclosure as possible be made."

The scandal involved the Reagan administration's covert arms-for-hostage deals with Iran in the mid-1980s at a time when the U.S. government was trying to prevent other countries from aiding the terrorist regime. The scandal mushroomed in late November 1986 when the White House announced that profits from the weapons sales had been channeled to help arm the contra rebels in Nicaragua, violating a congressional prohibition against U.S. military assistance to the rebels.

Walsh initially investigated the illegal diversions and then concentrated on what he described as a conspiracy at the highest levels of government to hide the diversions and the arms sales from Congress and from Walsh's own investigators. The seven-year inquiry was summarily ended last December when President George Bush pardoned former defense secretary Caspar W. Weinberger and five other former officials involved in the affair.

Before publishing Walsh's report, the judges said there would be a "slight delay" in the interest of fairness so that a volume of comments and complaints by those "named" in the report could be printed and released at the same time as Walsh's two volumes.

The court said federal grand jury secrecy rules or some other statutory mandate "may require limited deletions from the final report before its general release," but "we anticipate that these deletions, if any, will be minor."

Yesterday was the deadline for the submission of comments and any related motions. The court panel, composed of U.S. Circuit Judges David B. Sentelle, John D. Butzner Jr. and Joseph T. Sneed, said it had "denied all requests" for further extensions.

Among the last filings in the matter to be

made public was a brief from the American Civil Liberties Union whose lawyers said they were torn in two directions.

They said "the ACLU believes the public has a right to know what its government is up to, especially when it has engaged in misconduct." At the same time, they asked the court "to withhold any portions... that specifically accuse undicted individuals of crimes or reach legal conclusions about the criminal guilt of any individuals who have not been convicted."

Some of the individuals named in the report and their lawyers have been under instructions by the court to seal their motions and not discuss them with the news media. The motions may require further closed court proceedings, much as the one disclosed earlier this week that limited Walsh's ability to add his own comments to those that have been submitted for inclusion in the record.

The motion for "full disclosure" was filed last week by the Society of Professional Journalists, the Reporters Committee for Freedom of the Press and the National Security Archive. Bruce W. Sanford, one of the lawyers for the group, called the court's ruling "a surprisingly strong recognition of the public interest" in as complete a disclosure as possible of the work of independent counsels.